

New England Eye Center at Mount Auburn Hospital



300 Mount Auburn Street, Suite 414, Cambridge, MA 02138



Director
Comprehensive Ophthalmology
Varant Hagopian, M.D.

**Specializing in Glaucoma, Cataract
and Anterior Segment**
Chandru Krishnan, MD

Information & Patient Appointments
(617) 876-3660
Fax: (617) 876-2542

January 28, 2006

DuaneMorris
Albert P. Zabin, Esq.
470 Atlantic Avenue, Suite 500
Boston, MA 02210

Re: Sheldon G. Adelson v. Moshe Hananel
Docket No. 04cv10357RCL

Dear Attorney Zabin:

This is in response to your letter of January 18, 2006 with reference to above mentioned civil action in which you ask me to review some enclosed documents and make comment relative to Mr. Moshe Hananel's visual status.

My name is Varant Hagopian and I am a board certified ophthalmologist who has been practicing ophthalmology in Cambridge, Massachusetts for the past 45 years. I am also a Fellow of the American College of Surgeons. My Curriculum Vitae is attached and I attest to the fact that it is accurate.

I reviewed your letter and the following enclosed documents: (1) hand written letter dated January 8, 2006 from a Dr. M. Huleihel, (2) hand written letter dated (?) September 1, 2005 from Dr. I. Siev-Ner an orthopedic surgeon, (3) photograph marked as Exhibit B and captioned "Moshe Hananel as he appeared at his video deposition when he knew the court would see him," (4) Exhibit C which consisted of a typewritten letter from a Mr. Hagay Leibovitz who presented himself as a licensed private investigator working for the firm of Weizman-Ya'ar Investigations of Tel Aviv, Israel. Mr. Leibovitz submitted several still photographs and two DVDs of Mr. Moshe Hananel which were captioned "as he appeared when he did not know the court would see him" and were taken on December 19 and 25, 2005.



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Let me address each document in the order that it was presented above.

(1) Hand written letter from Dr. M. Heleihel:

I can not determine what Dr. Heleihel's specialty is but from the photographs and DVDs that Mr. Leibovitz has provided it is evident that Mr. Hananel is not legally blind, does not need mobility assistance, nor is he 100% disabled. Since Mr. Hananel has diabetes it is very possible that he may have had one of the complications of that disease which is vitreous hemorrhage. Treatment for an unresolved vitreous hemorrhage would be vitrectomy accompanied by endolaser treatment and "gas exchange." If a gas exchange is performed it would be inadvisable to fly short or long distances in the immediate post operative period because of the expansion of gas under lower atmospheric pressure. Within five or six weeks post operation the gas becomes fully absorbed and flying restrictions no longer apply.

(2) Hand written letter from Dr. Siev-Ner:

Dr. Siev-Ner is an orthopedic surgeon and I would not refute his diagnosis that Mr. Hananel had ulcers of the foot which were being treated with orthopedic shoes. However, Dr. Siev-Ner's statement that Mr. Hananel is "actually blind" does not hold true in the still and motion pictures furnished by Mr. Leibovitz.

(3) Exhibit B, captioned Moshe Hananel as he appeared at his video deposition when he knew the court would see him.

This is a photograph of Mr. Hananel wearing large dark glasses and holding the handle of a metal cane.

(4) Exhibit C.

This consisted of a type written letter from the private investigator, Mr. Hagay Leibovitz and several photographs and two DVDs of Mr. Hananel. The photodocumentation was done on two different occasions one on December 19, 2005 and the other on December 25, 2005. This documentation shows Mr. Hananel doing all the following things with relative ease and unassisted by either another person or a cane.

1. walking up and down stairs,
2. reading books and documents at a bookstore,
3. picking up a friend at a hotel and escorting her to a car driven by someone else,
4. moving the end of the friend's coat out of the way before closing the car door,
5. escorting the friend across a busy street to her destination,
6. walking along a busy sidewalk,
7. crossing a street busy with vehicular traffic.

Based upon the material provided it is my opinion that it is very questionable that Mr. Hananel is so blind that it would be a hardship for him to testify and come to the United States.

Signed under the pains and penalties of perjury.



Varant Hagopian, M.D.

Date: 1/28/06



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CURRICULUM VITAE, Varant Hagopian, M.D., F.A.C.S.

EDUCATION

University of New Hampshire, Durham, N.H.
B.S. Magna Cum Laude 1950.

Tufts University School of Medicine, Boston, MA
M.D. 1954

INTERNSHIP

Cambridge City Hospital, Cambridge, MA
Rotating Internship 1954-1955

MILITARY

United States Air Force,
Flight Surgeon 09/55-09/57

RESIDENCY

Kresge Eye Institute, Detroit, Michigan
Basic Science Course in Ophthalmology. 09/57 - 07/58

Detroit Receiving Hospital, Detroit, Michigan
Resident in ophthalmology July 1958 - September 1960
One quarter as Chief Resident

ACADEMIC

APPOINTMENTS

(PRESENT)

Tufts-New England Medical Center Hosp., Boston, MA
Associate Clinical Instructor in Ophthalmology.

Harvard University Medical School, Boston, MA
Clinical Instructor in Surgery.

HOSPITAL

APPOINTMENTS

Mount Auburn Hospital, Cambridge, MA,
Chief, Department of Ophthalmology. 1973 to present

OTHER

APPOINTMENTS

Commonwealth of Mass. Commission for the Blind
Ophthalmic Consultant, 1962 to present.

DIPLOMATE

American Board of Ophthalmology

FELLOW

American College of Surgeons

SPECIAL

CERTIFICATE:

LOCSIII Lens opacification grading system

A handwritten signature in black ink, appearing to read "Varant Hagopian".



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MEDICAL SOCIETY

American Academy of Ophthalmology,
Fellow - 1962 - present
Councilor - 1990 - 1997

American Medical Association
Member - 1960 - present

Massachusetts Medical Society - 1960 - present
Legislative committee - formerly
Medical Services Committee - formerly
Committee on Interspecialty - 1984 - 1998
Board of Trustees - presently
Membership committee - formerly
Ethics & Discipline Com. - presently
By-laws Committee - formerly
Vice-speaker House Delegates - 2002
Speaker House of Delegates - 2003-presently

New England Ophthalmological Society 1961 to present

Massachusetts Society of Eye Physicians and Surgeons
Past President
Advisory Council, presently
Constitution, Bylaws and Policy Committee
Chair 2003 - present
Ethics and Grievances Committee,
Member, presently

Middlesex South Medical Society
Past President

Middlesex District Medical Society
Delegate to Mass Medical Society, presently
Executive Board, presently

CIVIC DUTIES

Armenian Apostolic Church
Prelacy Council 1978 - 1992
Delegate to General (World) Assembly, 1978 - present
Knight of Great House of Cilicia-bestowed by His
Holiness Karekin II.

Armenian Apostolic Church, St. Stephen's Watertown, MA
Delegate to National Rep. Assembly, 1964 -Presently

Lions International:
Glaucoma Clinic, Lexington, MA 1961 - 1992
Lexington, MA Lion of the Year Award - 1975 - 1976

Friends of Armenian Culture Society
President, 1992 to 2001.



SPECIAL INTEREST Member, American Institute of Parliamentarians 1997 - present

WORK HISTORY Private practice of Ophthalmology in Cambridge from October 1, 1960 - present

PUBLICATIONS "Five Cases of Pigmentary Retinopathy Associated with Thioridazine Administration." American Journal of Psychiatry. July, 1966.

HONORS Man of the Year - 2003, Mass Soc. of Eye Physicians and Surgeons

Community Clinician of the Year, 2003 - MMS and Middlesex District